



February 18, 2004

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## ENGROSSED HOUSE BILL No. 1202

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DIGEST OF HB 1202 (Updated February 17, 2004 10:20 am - DI 71)

**Citations Affected:** IC 16-19; IC 20-8.1; IC 35-48; noncode.

**Synopsis:** Public health threats. Requires the state department of health to collect data related to symptoms and health syndromes from outbreaks of disease or other health conditions that may be a danger to public health. Requires a health provider that collects certain data to report this data to the state department of health. Requires a school corporation or an accredited school to report to the local health department the percentage of student absences above a threshold determined by the department of education. Adds Carisoprodol, a depressant, to the list of schedule IV controlled substances.

**Effective:** Upon passage; July 1, 2004.

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**Lawson L, Reske**  
(SENATE SPONSORS — DILLON, WYSS)

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January 15, 2004, read first time and referred to Committee on Public Health.  
January 29, 2004, amended, reported — Do Pass.  
February 2, 2004, read second time, ordered engrossed.  
February 3, 2004, engrossed.  
February 5, 2004, read third time, passed. Yeas 92, nays 1.

SENATE ACTION

February 10, 2004, read first time and referred to Committee on Transportation and Homeland Security.  
February 17, 2004, reported favorably — Do Pass.

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February 18, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1202

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-19-10-8 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: **Sec. 8. (a) The state department shall support**  
4 **the goals and objectives of the state's counterterrorism programs**  
5 **by collecting data related to:**  
6 (1) symptoms; and  
7 (2) health syndromes;  
8 **from outbreaks or suspected outbreaks of diseases or other health**  
9 **conditions that may be a danger to public health.**  
10 (b) A health care provider or other entity that collects data  
11 described in subsection (a) shall report to the state department in  
12 accordance with rules adopted under section 5 of this chapter.  
13 (c) The state department shall establish reporting, monitoring,  
14 and prevention procedures for data collected under this section.  
15 (d) Data:  
16 (1) collected under subsection (a); or  
17 (2) reported under subsection (b);

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1 **from which the identity of an individual may be ascertained are**  
 2 **confidential.**

3 SECTION 2. IC 20-8.1-13-1 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A school  
 5 corporation may develop and implement a system of notifying the  
 6 parent or guardian of a student when:

7 (1) the student fails to attend school; and

8 (2) the student does not have an excused absence for that day.

9 **(b) A school corporation or an accredited nonpublic school shall**  
 10 **report to the local health department the percentage of student**  
 11 **absences above a threshold determined by the department by rule**  
 12 **adopted under IC 4-22-2.**

13 SECTION 3. IC 35-48-2-10, AS AMENDED BY P.L.288-2001,  
 14 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2004]: Sec. 10. (a) The controlled substances listed in this  
 16 section are included in schedule IV.

17 (b) Narcotic drugs. Unless specifically excepted in a rule adopted  
 18 by the board or unless listed in another schedule, any material,  
 19 compound, mixture, or preparation containing any of the following  
 20 narcotic drugs, or their salts calculated as the free anhydrous base or  
 21 alkaloid, in the following limited quantities:

22 (1) Not more than 1 milligram of difenoxin (9618) and not less  
 23 than 25 micrograms of atropine sulfate per dosage unit.

24 ( 2 ) D e x t r o p r o x y p h e n e ( a l p h a -  
 25 (+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionybutane  
 26 (9273).

27 (c) Depressants. Unless specifically excepted in a rule adopted by  
 28 the board or unless listed in another schedule, any material, compound,  
 29 mixture, or preparation which contains any quantity of the following  
 30 substances, including its salts, isomers, and salts of isomers whenever  
 31 the existence of such salts, isomers, and salts of isomers is possible  
 32 within the specific chemical designation:

33 Alprazolam (2882).

34 Barbitol (2145).

35 Bromazepam (2748).

36 Camazepam (2749).

37 **Carisoprodol.**

38 Chloral betaine (2460).

39 Chloral hydrate (2465).

40 Chlordiazepoxide (2744).

41 Clobazam (2751).

42 Clonazepam (2737).

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- 1 Clorazepate (2768).
- 2 Clotiazepam (2752).
- 3 Cloxazolam (2753).
- 4 Delorazepam (2754).
- 5 Diazepam (2765).
- 6 Estazolam (2756).
- 7 Ethchlorvynol (2540).
- 8 Ethinamate (2545).
- 9 Ethyl loflazepate (2758).
- 10 Fludiazepam (2759).
- 11 Flunitrazepam (2763).
- 12 Flurazepam (2767).
- 13 Halazepam (2762).
- 14 Haloxazolam (2771).
- 15 Ketazolam (2772).
- 16 Loprazolam (2773).
- 17 Lorazepam (2885).
- 18 Lormetazepam (2774).
- 19 Mebutamate (2800).
- 20 Medazepam (2836).
- 21 Meprobamate (2820).
- 22 Methohexital (2264).
- 23 Methylphenobarbital (mephobarbital) (2250).
- 24 Midazolam (2884).
- 25 Nimetazepam (2837).
- 26 Nitrazepam (2834).
- 27 Nordiazepam (2838).
- 28 Oxazepam (2835).
- 29 Oxazolam (2839).
- 30 Paraldehyde (2585).
- 31 Petrichloral (2591).
- 32 Phenobarbital (2285).
- 33 Pinazepam (2883).
- 34 Prazepam (2764).
- 35 Quazepam (2881).
- 36 Temazepam (2925).
- 37 Tetrazepam (2886).
- 38 Triazolam (2887).
- 39 Zolpidem (Ambien) (2783).
- 40 (d) Fenfluramine. Any material, compound, mixture, or preparation
- 41 which contains any quantity of the following substances, including its
- 42 salts, isomers (whether optical, position, or geometric), and salts of

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such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible.

Fenfluramine (1670).

(e) Stimulants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Diethylpropion (1608).

(2) Mazindol (1605).

(3) Phentermine (1640).

(4) Pemoline (including organometallic complexes and chelates thereof) (1530).

(5) Pipradrol (1750).

(6) SPA ((-)-1-dimethylamino-1,2-diphenylethane (1635).

(f) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances including its salts:

(1) Pentazocine (9709).

(g) The board may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection (b), (c), (d), (e), or (f) from the application of any part of this article if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

**SECTION 4. [EFFECTIVE JULY 1, 2004] IC 35-48-2-10, as amended by this act, applies only to offenses committed after June 30, 2004.**

**SECTION 5. An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1202 as introduced.)

BROWN C, Chair

Committee Vote: yeas 12, nays 0.

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SENATE MOTION

Madam President: I move that Senator Wyss be removed as sponsor of Engrossed House Bill 1202 and that Senator Dillon be substituted therefor.

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SENATE MOTION

Madam President: I move that Senator Wyss be added as second sponsor of Engrossed House Bill 1202.

DILLON

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## COMMITTEE REPORT

Madam President: The Senate Committee on Transportation and Homeland Security, to which was referred House Bill No. 1202, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1202 as printed January 30, 2004.)

WYSS, Chairperson

Committee Vote: Yeas 6, Nays 0.

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